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11/07/01
JC944 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

JC997 U.S. PTO
10/008329
11/07/01

Attorney Docket No.: 3123-389

Inventors: LJ Herman of 4685 Osage Drive, Boulder, Colorado 80303-3902
Jerry Moline of 3722 Meade Street, Denver, Colorado 80211

Express Mail Label No.: **EL 545146993 US**

Title: "METHOD AND APPARATUS FOR REDUCING ERROR RECOVERY TIME IN HARD DISK DRIVE"

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

This application claims priority from U.S. Provisional Patent Application No. 60/246,383 filed November 7, 2001. The entire disclosure of the provisional application is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference. Enclosed for filing with the above-identified utility patent application, please find the following:

1. ☒ Specification (Total Pages of Text, including Abstract and Claims: 34)
2. ☒ Drawing(s) (35 USC 113) (Total Sheets: 7) ☐ FORMAL ☒ INFORMAL
3. ☒ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).
4. ☒ Power of Attorney
5. ☒ Return Postcard (MPEP 503) (should be specifically itemized)
6. ☒ A check in the amount of \$1,184.00 is enclosed.

FEE CALCULATION:

	(COL. 1) NO. FILED				(COL. 2*) NO. EXTRA		SMALL ENTITY			LARGE ENTITY	
							RATE	FEE		RATE	FEE
BASIC FEE:								\$370.00	OR		\$740.00
TOTAL CLAIMS:	40	-	20		20		X \$9 =		OR	X \$18 =	\$360.00
INDEP. CLAIMS:	4	-	3		1		X \$42 =		OR	X \$84 =	\$84.00
MULTIPLE DEPENDENT CLAIMS							+ \$140 =		OR	+\$280 =	\$0.00
*IF THE DIFFERENCE IN COL. 2 IS LESS THAN ZERO, ENTER "O" IN COL. 2.							TOTAL:				\$1,184.00

OTHER INFORMATION:

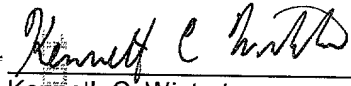
1. ☒ The Commissioner is hereby authorized to debit any underpayments or credit any overpayment to Deposit Account No. 19-1970.
2. ☒ Correspondence Address:

Kenneth C. Winterton
SHERIDAN ROSS P.C.
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3. ☒ Customer No: **22442**

Respectfully Submitted,

SHERIDAN ROSS P.C.



Kenneth C. Winterton
Registration No. 48,040

Date: Nov. 7, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

HERMAN et al.

Serial No.: Not Yet Assigned

Filed: Herewith

Atty. File No.: 3123-389

For: "METHOD AND APPARATUS FOR
REDUCING ERROR RECOVERY
TIME IN HARD DISK DRIVE"

) Group Art Unit:

) Examiner:

) REQUEST FOR NON-PUBLICATION AND
) CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)) "EXPRESS MAIL" MAILING LABEL NUMBER: EL 545146993 US
) DATE OF DEPOSIT: November 7, 2001) I HEREBY CERTIFY THAT THIS WITH THE UNITED STATES
) POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO
) ADDRESSEE" SERVICE UNDER 37 C.F.R. 1.10 ON THE DATE
) INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT
) COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

) TYPED OR PRINTED NAME: Amy S. Duarte

SIGNATURE: Assistant Commissioner for Patents
Washington, D.C. 20231


Dear Sir:

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C.122(b).

*Applicant understands that this request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application **upon filing**. Applicant also understands that they may rescind this nonpublication request at any time. If Applicant rescinds a request that an application not be published under U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed. If Applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the Applicant understands that they must notify the U.S. Patent Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).***

Respectfully submitted,

SHERIDAN ROSS P.C.

By: Kenneth C. Winterton
Registration No. 48,040
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700Date: Nov. 7, 2001